

CHAPTER 1057

CERTIFIED LAW ENFORCEMENT OFFICERS — AUTHORITY

S.F. 2095

AN ACT relating to the authority of a certified law enforcement officer.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 9E.6A, subsection 1, Code 2009, is amended to read as follows:

1. Each person performing a notarial act pursuant to section 9E.10 must acquire and use a stamp or seal as provided in this chapter. ~~However, this section shall not apply to a notarial act performed by a judicial officer as defined in section 602.1101, if the notarial act is performed in accordance with state or federal statutory authority, and shall not apply to a certification by a chief officer or a chief officer's designee of a peace officer's verification of a uniform citation and complaint pursuant to section 805.6, subsection 5.~~

Sec. 2. Section 9E.6A, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 3. This section shall not apply to any of the following:

- a. A notarial act performed by a judicial officer as defined in section 602.1101, if the notarial act is performed in accordance with state or federal statutory authority.
- b. A certification by a chief officer or a chief officer's designee of a peace officer's verification of a uniform citation and complaint pursuant to section 805.6, subsection 5.
- c. The administration of oaths and the acknowledgment of signatures by a peace officer pursuant to section 80.9A, subsection 3, or by a certified law enforcement officer pursuant to section 817.3.

Sec. 3. NEW SECTION. **817.3 Certified law enforcement officers — oaths, signatures, and testimony.**

A law enforcement officer, as defined in section 80B.3, who is certified by the Iowa law enforcement academy, may administer oaths, acknowledge signatures, and take voluntary testimony pursuant to the officer's duties as provided by law.

Approved March 19, 2010

CHAPTER 1058

RECORDING OF RESIDENTIAL REAL ESTATE INSTALLMENT SALES CONTRACTS

S.F. 2157

AN ACT relating to the recording requirements for certain residential real estate installment sales contracts and including applicability provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 558.46, subsections 1, 2, and 7, Code 2009, are amended to read as follows:

1. Every real estate installment sales contract transferring an interest in residential property shall be recorded by the contract seller with the county recorder in the county in which the real estate is situated not later than one hundred eighty ninety days from the date the contract was signed by the contract seller and contract purchaser.

2. Failure to record a real estate contract required to be recorded by this section by the contract seller within the specified time limit is punishable by a fine not to exceed one hundred dollars per day for each day of violation. The county recorder shall record a real estate contract presented for recording even though not presented within one hundred eighty ninety

days of the signing of the contract. The county recorder shall forward to the county attorney a copy of each real estate contract recorded more than ~~one hundred eighty~~ ninety days from the date the contract was signed by the contract seller and contract purchaser. The county attorney shall initiate action in the district court to enforce the provisions of this section. Fines collected pursuant to this subsection shall be deposited in the general fund of the county.

7. If a contract seller is subject to the requirements of section 558.70, the contract must be recorded within ~~forty-five~~ thirty days rather than ~~one hundred eighty~~ ninety days and the recording requirement is only satisfied by recording the real estate contract rather than a memorandum of the contract.

Sec. 2. APPLICABILITY. This Act applies to real estate installment contracts signed on or after the effective date of this Act.

Approved March 19, 2010

CHAPTER 1059

BANKRUPTCY AND DEBTOR'S EXEMPTIONS — PERSONAL PROPERTY

S.F. 2190

AN ACT relating to an exemption for a debtor's personal property from execution by creditors in a bankruptcy action.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 627.6, subsection 14, Code 2009, is amended to read as follows:

14. The debtor's interest, not to exceed one thousand dollars in the aggregate, in any cash on hand, bank deposits, credit union share drafts, or other deposits, wherever situated, or in any other personal property not otherwise specifically provided for in whether otherwise exempt or not under this chapter.

Approved March 19, 2010

CHAPTER 1060

ELECTIONS — DOUBLE ELECTION BOARDS AND AUTOMATIC TABULATING EQUIPMENT

S.F. 2218

AN ACT relating to elections by eliminating double election boards and by requiring the commissioner of elections, upon petition, to use automatic tabulating equipment in certain elections and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa: